

REMARKS

This is in response to the communication mailed October 9, 2003, in which the Examiner imposed a two-way restriction on the above-identified application. With this Amendment, Applicant has added new claims 20-26. Consideration of the application as amended is respectfully requested.

In the communication, the Examiner identified claims 1-9 as a first invention (Invention I) drawn to a method of performing a writer pole. Additionally, the Examiner identified claims 10-19 as a second invention (Invention II) drawn to a write element. Applicant hereby elects, with traverse, to prosecute claims 1-9 of Invention I. Applicant also elects to prosecute new claims 20-26 submitted herein, which are directed to a method of forming a writer pole and fall within Invention I.

In the communication, the Examiner found that the write element of Invention II could be made by a process that is materially different from that described by Invention I. In particular, the Examiner found that the write element could be made by a process that does not require irradiation or ion implantation for forming the magnetically dead side wall, but could be made by a process such as forming another material on top of a writer pole, to form a dead side wall region. Applicant respectfully disagrees with the Examiner's assessment of claims 16-19 as being patentably distinct from Invention I.

Applicant submits that claims 16-19 are sufficiently related to Invention I to require their examination in a single application since the write element of claim 16 cannot be made by a materially different process than that described in Invention I. In particular, the process suggested by the Examiner cannot form "an active region reducing means for reducing the width of the active region without reducing a width of the writer pole." Instead, the addition of material next to the writer pole would

extend its width and would not reduce the width of the active region. Accordingly, Applicant submits that claims 1-9, 16-19, and new claims 20-26 are sufficiently related to require their examination in a single application. Reconsideration of the restriction is respectfully requested.

Also in the Office Action, the Examiner required Applicant to elect a species of the claimed invention corresponding to either FIG. 4 (Species I) or FIG. 5 (Species II). Applicant elects to prosecute Species I. Currently, claims 1, 3-5, 8-9, 16-23 are readable on Species I.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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